

**IN THE
SUPREME COURT
OF
THE STATE OF ILLINOIS**

Order entered January 17, 2013.

(Deleted material is struck through and new material is underscored.)

Effective immediately, Supreme Court Rules 312, 751, and 792 are amended, as follows.

Amended Rule 312

Rule 312. Docketing Statement

(a) Appellant's Docketing Statement. All appellants, including cross-appellants and separate appellants, whether as a matter of right or as a matter of the court's discretion, shall file a docketing statement with the clerk of the reviewing court. In the case of an appeal as of right, the appellant shall file the statement within 14 days after filing the notice of appeal or petition for review of an administrative order or the date upon which a motion to file late notice of appeal is allowed. In the case of a discretionary appeal pursuant to Rule 306 or Rule 308, the statement shall be due at the time that the appellant files his or her Rule 306 petition or Rule 308 application. In cases of appeal pursuant to Rule 307(a), the docketing statement shall be filed within 7 days from the filing of the notice of appeal. The docketing statement shall be accompanied by the required reviewing court filing fee if it has not been previously paid. The docketing statement shall be accompanied by any written requests to the circuit clerk or court reporting personnel as defined in Rule 46 for preparation of their respective portions of the record on appeal and be served on all parties to the case with proof of service attached. Within 7 days thereafter, appellee, if it is deemed necessary, may file a short responsive statement with the clerk of the reviewing court with proof of service on all parties.

The form and contents of the docketing statement shall be as follows:

Docket Number in the Reviewing Court

Case Title (Complete))	Appeal from _____ County
)	Circuit Number _____
)	Trial Judge _____

-) Date of Notice of Appeal _____
-) Date of Judgment _____
-) Date of Postjudgment Motion Order _____
-) Supreme court rule which confers jurisdiction upon the reviewing court _____

DOCKETING STATEMENT
(Civil)

1. Is this a cross-appeal, separate appeal, joining in a prior appeal, or related to another appeal which is currently pending or which has been disposed of by this court? _____

If so, state the docket number(s) of the other appeal(s):

2. If any party is a corporation or association, identify any affiliate, subsidiary, or parent group:

3. Full name and complete address of appellant(s) filing this statement:

Name: _____

Address: _____

Telephone: _____

Email address: _____

*use additional page if multiple appellants.

Counsel on Appeal for appellant(s) filing this statement:

Name: _____ ARDC # _____

Address: _____

Telephone: _____

Email address: _____

Fax: _____

4. Full name and complete address of appellee(s): (Use additional page for multiple appellees.)

Name: _____

Address: _____

Telephone: _____

ARDC # if known: _____ Email address: _____

Counsel on Appeal for appellee(s): (Use additional page for multiple appellees.)

Name: _____

Address: _____

Telephone: _____

Email address: _____

Fax: _____

5. Court reporting personnel: (If more space is needed, use other side.)

Name: _____

Address: _____

Telephone: _____

Email address: _____

6. Is this appeal from a final order in a matter involving child custody pursuant to Illinois Supreme Court Rule 311(a) which requires **Mandatory Accelerated Disposition of Child Custody Appeals**?

Yes: _____

No: _____

*If yes, this docketing statement, briefs and all other notices, motions and pleadings filed by any party shall include the following statement in bold type on the top of the front page:

THIS APPEAL INVOLVES A QUESTION OF CHILD CUSTODY, ADOPTION, TERMINATION OF PARENTAL RIGHTS OR OTHER MATTER AFFECTING THE BEST INTERESTS OF A CHILD.

7. State the general issues proposed to be raised (failure to include an issue in this

statement will not result in the waiver of the issue on appeal):

As ____ attorney for the appellant ____ *Pro Se* appellant, I hereby certify that on the ____ day of _____, 20____, I asked / made a written request to the clerk of the circuit court to prepare the record on appeal, and on the ____ day of _____, 20____, I made a written request to the court reporting personnel to prepare the transcript(s).

Date Appellant's Attorney *Pro Se* Appellant

In lieu of court reporting personnel's signature I have attached the written request to the court reporting personnel to prepare the transcript(s).

Date Appellant's Attorney *Pro Se* Appellant

I hereby acknowledge receipt of an order for the preparation of a report of proceedings.

Date Court Reporting Personnel
 or Supervisor

Adopted December 17, 1993, effective February 1, 1994; amended December 13, 2005, effective immediately; corrected February 10, 2006, effective immediately; amended Dec. 12, 2012, eff. Jan. 1, 2013; amended Jan. 17, 2013, eff. immediately.

Amended Rule 751

RULE 751. Attorney Registration and Disciplinary Commission

(a) **Authority of the Commission.** The registration of, and disciplinary proceedings affecting, members of the Illinois bar, and unauthorized practice of law

proceedings instituted under the authority of Rule 752(a), shall be under the administrative supervision of an Attorney Registration and Disciplinary Commission. Any lawyer admitted in another United States jurisdiction who provides legal services on a temporary basis in Illinois pursuant to Rule 5.5 of the Illinois Rules of Professional Conduct shall be subject to the administrative supervision of the Attorney Registration and Disciplinary Commission to the same extent as a lawyer licensed to practice law in this state. The authority granted in this paragraph to the Attorney Registration and Disciplinary Commission related to the unauthorized practice of law proceedings shall be independent of that granted by statute, regulation, or other legal authority to any governmental agency, entity, or individual to pursue action relating to the unauthorized practice of law, including but not limited to any action by the Illinois Attorney General or State's Attorney, or any action filed pursuant to the Illinois Attorney Act (705 ILCS 205/1).

(b) Membership and Terms. The Commission shall consist of four members of the Illinois bar and three nonlawyers appointed by the Supreme Court. One member shall be designated by the court as chairperson and one member shall be designated by the court as vice-chairperson. Unless the court specifies a shorter term, all members shall be appointed for three-year terms and shall serve until their successors are appointed. Any member of the Commission may be removed by the court at any time, without cause.

(c) Compensation. None of the members of the Commission shall receive compensation for serving as such, but all members shall be reimbursed for their necessary expenses.

(d) Quorum. Four members of the Commission shall constitute a quorum for the transaction of business. The concurrence of four members shall be required for all action taken by the Commission.

(e) Duties. The Commission shall have the following duties:

(1) to appoint, with the approval of the Supreme Court, an administrator to serve as the principal executive officer of the registration and disciplinary system. The Administrator shall receive such compensation as the Commission authorizes from time to time;

(2) to make rules for disciplinary and unauthorized practice of law proceedings not inconsistent with the rules of this court;

(3) to supervise the activities of the Administrator; supervision of the Administrator shall include review, after the fact, of representative samples of investigative matters concluded by the Administrator without reference to the Inquiry Board;

(4) to authorize the Administrator to hire attorneys, investigators and clerical personnel and to set the salaries of such persons;

(5) to appoint from time to time, as it may deem appropriate, members of the bar to serve as commissioners in addition to those provided for in Rule 753;

(6) to collect and administer the disciplinary fund provided for in Rule 756, to collect and remit to the Lawyers' Assistance Program Fund the fee described in Rule 756(a)(1) and the Lawyers' Assistance Program Act (30 ILCS 105/5.570), to collect and remit to the Lawyers Trust Fund the fee described in Rule 756(a)(1), to collect and remit to the Supreme Court Commission on Professionalism the fee described in Rule 756(a)(1) and, on or before April 30 of each year, file with the court an accounting of the monies received and expended for disciplinary activities and fees remitted to the Lawyers' Assistance Program Fund, the Lawyers Trust Fund, and the Supreme Court Commission on Professionalism, and a report of such activities for the previous calendar year, which shall be published by the court, and there shall be an independent annual audit of the disciplinary fund as directed by the court, the expenses of which shall be paid out of the fund;

(7) to submit an annual report to the court evaluating the effectiveness of the registration and disciplinary system and recommending any changes it deems desirable; and

(8) to develop a comprehensive orientation program for new members of the Inquiry Board and implement that program.

Adopted January 25, 1973, effective February 1, 1973; amended effective May 17, 1973, April 1, 1974, and May 21, 1975; amended August 9, 1983, effective October 1, 1983; amended April 10, 1987, effective August 1, 1987; amended June 4, 1987, effective immediately; amended March 17, 1988, effective immediately; amended October 13, 1989, effective immediately; amended October 4, 2002, effective immediately; amended September 29, 2005, effective immediately; amended July 1, 2009, effective January 1, 2010; amended December 7, 2011, effective immediately; amended Jan. 17, 2013, eff. immediately.

Amended Rule 792

Rule 792. The MCLE Board

(a) Administration

The administration of the program for MCLE shall be under the supervision of the Minimum Continuing Legal Education Board ("Board").

(b) Selection of Members; Qualifications; Terms

(1) The Board shall consist of nine members, appointed by the Supreme Court ("Court"). At least one member shall be a nonattorney and at least one member shall be a circuit court judge. The Executive Director of the Supreme Court Commission on Professionalism and the Administrator of the Attorney Registration and Disciplinary Commission shall serve as *ex-officio* members in addition to the nine

members appointed by the Court but shall have no vote.

(2) To be eligible for appointment to the Board, an attorney must have actively practiced law in Illinois for a minimum of 10 years.

(3) Three members, including the chairperson, shall initially be appointed to a three-year term. Three members shall be appointed to an initial two-year term, and three members shall be appointed to an initial one-year term. Thereafter, all members shall be appointed or re-appointed to three-year terms.

(4) Board members shall be limited to serving three consecutive three-year terms.

(5) No individual may be appointed to the Board who stands to gain financially, directly or indirectly, from accreditation or other decisions made by the Board.

(6) Any member of the Board may be removed by the Court at any time, without cause.

(7) Should a vacancy occur, the Court shall appoint a replacement to serve for the unexpired term of the member.

(8) Board members shall serve without compensation, but shall be reimbursed for reasonable and necessary expenses incurred in performing their official duties, including reasonable travel costs to and from Board meetings.

(9) The chairperson and vice-chairperson shall be ~~appointed~~ designated by the Court. Other officers shall be elected by the members of the Board at the first meeting of each year.

(c) Powers and Duties

The Board shall have the following powers and duties:

(1) To recommend to the Court rules and regulations for MCLE not inconsistent with the rules of the Court and these Rules, including fees sufficient to ensure that the MCLE program is financially self-supporting; to implement MCLE rules and regulations adopted by the Court; and to adopt forms necessary to insure attorneys' compliance with the rules and regulations.

(2) To meet at least twice a year, or more frequently as needed, either in person, by conference telephone communications, or by electronic means. Six members of the Board shall constitute a quorum for the transaction of business. A majority of the quorum present shall be required for any official action taken by the Board.

(3) To accredit commercial and noncommercial continuing legal education ("CLE") courses and activities, and to determine the number of hours to be awarded for attending such courses or participating in such activities.

(4) To review applications for accreditation of those courses, activities or portions of either that are offered to fulfill the professional responsibility requirement in Rule 794(d)(1) for conformity with the accreditation standards and hours enumerated in Rule 795, exclusive of review as to substantive content. Those courses and activities determined to be in conformance shall be referred to the Supreme Court Commission on Professionalism for substantive review and approval as provided in Rules

799(c)(5) and (d)(6)(i). Professional responsibility courses or activities approved by both the Commission on Professionalism and the MCLE Board as specified in this subsection shall be eligible for accreditation by the MCLE Board.

(5) To submit an annual report to the Court evaluating the effectiveness of the MCLE Rules and the quality of the CLE courses, and presenting the Board's recommendations, if any, for changes in the Rules or their implementation, a financial report for the previous fiscal year, and its recommendations for the new fiscal year. There shall be an independent annual audit of the MCLE fund as directed by the Court, the expenses of which shall be paid out of the fund. The audit shall be submitted as part of the annual report to the Court.

(6) To coordinate its administrative responsibilities with the Attorney Registration and Disciplinary Commission ("ARDC"), and to reimburse expenses incurred by the ARDC attributable to enforcement of MCLE requirements.

(7) To take all action reasonably necessary to implement, administer and enforce these rules and the decisions of the MCLE Director, staff and Board.

(8) To establish policies and procedures for notification and reimbursement of course fees, if appropriate, in those instances where course accreditation is withheld or withdrawn.

(d) Administration

The Board shall appoint, with the approval of the Supreme Court, a Director of MCLE ("Director") to serve as the principal executive officer of the MCLE program. The Director, with the Board's authorization, will hire sufficient staff to administer the program. The Board will delegate to the Director and staff authority to conduct the business of the Board within the scope of this Rule, subject to review by the Board. The Director and staff shall be authorized to acquire or rent physical space, computer hardware and software systems and other items and services necessary to the administration of the MCLE program.

(e) Funding

The MCLE program shall initially be funded in a manner to be determined by the Court. Thereafter, funding shall be derived solely from the fees charged to CLE providers and from late fees and reinstatement fees assessed to individual attorneys. This schedule of CLE provider fees, late fees, and reinstatement fees must be approved by the Court, and any reference in these Rules to a fee assessed or set by the Board means a fee based on the Court-approved fee schedule. The Board may elect to charge fees up to the amount approved by the Court and the Board may, as it deems appropriate, charge fees less than the amount approved by the Court.

Adopted September 29, 2005, effective immediately; amended December 6, 2005, effective immediately; amended June 5, 2007, effective immediately; amended November 23, 2009, effective December 1, 2009; amended September 27, 2011, effective immediately; amended Jan. 17, 2013, eff. immediately.